IN THE CIRCUIT COURT OF CLINTON COUNTY, MISSOURI JUL -8 2009

WILLIAM KEMPER et al.,	MOLLY LIVINGSTÖN Clerk of Clintoπ Co. Circuit Court
Plaintiffs,	
V.	Case No. 09CN-CV00333
PRIME TANNING CORP., et al.,	
Defendants.	

## STIPULATION BY PLAINTIFFS AND DEFENDANT NATIONAL BEEF LEATHERS, LLC AND ORDER

## **STIPULATION**

Plaintiffs, William Kemper and Janet Lasher ("Plaintiffs"), and Defendant, National Beef Leathers, LLC ("NBL"), hereby stipulate and agree as follows:

- 1. Plaintiffs have requested an opportunity to conduct a preliminary review and inspection of certain documents that are the subject of a temporary restraining order issued by this Court on April 28, 2009, which are in the possession of Brown Transfer & Storage ("Brown") at its facility in St. Joseph, Missouri ("Facility").
- NBL, the owner of these documents, has agreed to provide counsel for Plaintiffs
  the opportunity to inspect the documents at the Brown Facility during the week of July 13-18,
  2009.
- 3. Plaintiffs have agreed not to remove from the Facility any documents and not to copy any documents at the Facility as part of this inspection.
- Plaintiffs have further agreed that members of NBL's counsel's staff shall be present to observe Plaintiffs' counsel's inspection.

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- 5. The parties have agreed that any documents currently in the possession of Brown at the Facility designated by any Defendant in this action as confidential will be subject to a protective order to be issued by this Court, pending the Court's resolution (if necessary) of the claim of confidentiality.
- 6. Plaintiffs' preliminary review and inspection of the documents currently in the possession of Brown at the Facility shall be for the purpose of determining what documents, if any, Plaintiffs wish to preserve. Plaintiffs will not be foreclosed from a subsequent review of the Brown documents at the Facility as agreed to between Plaintiffs and NBL or as might be ordered by the Court.

Date: July 1, 2009

Respectfully submitted,

#54125 #49483

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ATTORNEYS FOR PLAINTIFFS

## **ORDER**

The Court, being fully advised in the premises, hereby finds that the foregoing Stipulation should be approved.

THEREFORE, IT IS HEREBY SO OPDERED

Dated this \_\_\_\_\_\_day of July, 2009.

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## CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing STIPULATION BY PLAINTIFFS AND DEFENDANT NATIONAL BEEF LEATHERS, LLC AND ORDER has been deposited in the U.S. Mail, first class postage prepaid, this \_\_\_\_\_ day of July, 2009, to the following:

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